

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 INRE-00 NSCE-00 USIE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 IO-11 DHA-02 SAJ-01 /067 W

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O R 121712Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 7204

INFO AMEMBASSY WARSAW IMMEDIATE

AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY SOFIA

USMISSION USBERLIN

USMISSION NATO BRUSSELS

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

C O N F I D E N T I A L SECTION 01 OF 02 BONN 04232

E.O. 11652: GDS

TAGS: PINT, PFOR, GW, PL

SUBJECT: BUNDESRAT DEBATE ON THE POLISH PENSION  
AGREEMENT

BEGIN SUMMARY: THE DEBATE IN THE BUNDESRAT PRIOR TO  
THE UNANIMOUS APPROVAL OF THE POLISH PENSION AGREEMENT  
WAS GENERALLY CONDUCTED IN AN OBJECTIVE AND REASONABLE  
MANNER, THOUGH THERE WERE SOME DISCORDANT NOTES,  
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INCLUDING SOME REMARKS BY THE CHANCELLOR. ALL CONCERNED

WELCOMED THE APPROVAL OF THE AGREEMENTS, EXPRESSED PLEASURE THAT THIS APPROVAL WOULD BE UNANIMOUS, AND ALSO EXPRESSED A WELCOME TO THE GERMAN NATIONALS WHO WOULD BE COMING FROM POLAND. END SUMMARY

1. AFTER ROUTINE PRESENTATION OF THE SUBJECT BY THE APPROPRIATE BUNDESRAT MEMBER, FOREIGN MINISTER GENSCHER STATED THE GOVERNMENT POSITION. GENSCHER STRESSED THE FRG POLICY OF PEACE AND RECONCILIATION AND EXPRESSED APPRECIATION FOR THE HONEST EFFORT MADE BY ALL SIDES OF THE POLITICAL SPECTRUM IN PRODUCING THE AGREEMENT. HE CITED THE CONCESSION MADE BY THE POLISH GOVERNMENT LAST NIGHT TO PLEDGE THAT ALL GERMAN NATIONALS WHO MEET THE CRITERIA (OF THE 1970 "INFORMATION..") WOULD BE PERMITTED TO IMMIGRATE. HE SAID THAT THE FRG ATTACHED GREAT SIGNIFICANCE TO THE DECLARATION MADE BY THE POLISH FOREIGN MINISTER ON THE 9TH OF MARCH AND TO THE ENSUING EXCHANGE OF LETTERS.

2. FILBINGER (MINISTER PRESIDENT OF BADEN-WUERTTEMBERG) SPEAKING FOR THE OPPOSITION, SPOKE IN THE SAME SATISFIED TONE THAT HAD MARKED GENSCHER'S SPEECH. HE SAID IT WAS NOW CERTAIN THAT ALL GERMAN NATIONALS COULD LEAVE POLAND IF THEY MET THE APPROPRIATE CRITERIA, AND THAT OPPOSITION EXPERTS CONCURRED WITH GENSCHER'S STATEMENT THAT THE EXCHANGE OF LETTERS WAS LEGALLY BINDING. HE EXPRESSED SATISFACTION AT THE POLISH ACTION AND CLAIMED THAT THE RESULT WAS A SUCCESS FOR THE BUNDESRAT, WHICH--HE SAID--HAD RECENTLY BEEN MUCH UNDER ATTACK.

3. KOSCHNICK (MAYOR OF BREMEN) SPOKE FOR THE SPD LAENDER IN A SIMILAR TONE OF SATISFACTION. HOWEVER, HE SAID IT WOULD HAVE BEEN BETTER TO HAVE AVOIDED THE RECENT PUBLIC DEBATE, ESPECIALLY SINCE HE CLAIMED THAT IT PRODUCED NO NEW CONCESSIONS FROM POLAND BUT MERELY A CONFIRMATION OF WHAT HAD ALREADY BEEN AGREED. HE CRITICIZED THE BUNDESRAT FOR HAVING INVOLVED ITSELF IN FOREIGN POLICY MATTERS, AN INVOLVEMENT THAT HE STATED WAS HARDLY IN ACCORDANCE WITH THE FRG BASIC LAW. CONFIDENTIAL

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HE EXPRESSED PARTICULAR CONCERN THAT THE DEBATE IN THE BUNDESRAT COMMITTEE HAD NOT DEALT AT ALL WITH THE PENSION AGREEMENT, WHICH WAS THE OSTENSIBLE SUBJECT BEFORE THE BUNDESRAT, BUT WITH SUCH FOREIGN POLICY MATTERS AS THE EMIGRATION OF GERMANS FROM POLAND.

4. ALTHOUGH THE ANNOUNCED LIST OF SPEAKERS WAS THEN CLOSED, CHANCELLOR SCHMIDT ROSE TO SPEAK SOME ADDITIONAL

WORDS FOR THE GOVERNMENT. HE ALSO EXPRESSED SATISFAC-  
TION THAT THE PENSION AGREEMENT WOULD BE APPROVED  
BUT THEN EXPANDED KOSCHNICK'S CRITICISM OF THE BUNDESRAT  
FOR HAVING INVOLVED ITSELF IN MATTERS THAT HE DESCRIBED  
AS BEYOND ITS COMPETENCE. HE SAID THAT A BUNDESRAT  
REFUSAL TO APPROVE THE PENSION AGREEMENT WOULD HAVE  
LED TO A SITUATION WITHOUT PRECEDENT, SINCE IN EARLIER  
DAYS THE BUNDESRAT HAD APPROVED FOREIGN POLICY MATTERS  
EVEN WHEN THE OPPOSITION WAS IN A MAJORITY. TURNING  
TO KOHL, HE SAID THAT THE GOVERNMENT WOULD HAVE FOUND  
SOME OTHER MEANS TO CARRY OUT THE TERMS OF THE POLISH  
AGREEMENTS EVEN IF THE BUNDESRAT HAD VOTED AGAINST THEM.

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5. ADDRESSING CDU OBJECTIONS IN A DERISIVE MANNER, SCHMIDT POINTED OUT THAT THE OPPOSITION HAD ORIGINALLY RAISED ELEVEN OBJECTIONS BUT HAD FINALLY REDUCED THEM TO ONE. HE SAID THE CHANGES THAT HAD BEEN MADE AS A RESULT OF THE OPPOSITION'S REFUSAL TO ACCEPT THE ORIGINAL AGREEMENTS WERE MARGINAL AND NON-SUBSTANTIVE. HE SAID THE GOVERNMENT HAD NEVER DOUBTED THAT ALL GERMAN NATIONALS WHO WISHED TO LEAVE POLAND COULD DO  
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SO AND ASSERTED THAT THE RECENT EXCHANGE OF LETTERS DID NOT CHANGE THE SUBSTANCE OF THE PROTOCOL OR OF THE AGREEMENTS. HE EXPRESSED THE HOPE THAT THE POLES WOULD FORGET SOME OF THE "THOUGHTLESS THINGS" THAT HAD RECENTLY BEEN SAID IN GERMANY, AND HE EXPRESSED THE HOPE THAT ALL GERMANS WOULD CONTRIBUTE TO A RECONCILIATION WITH POLAND. DURING HIS SPEECH, HE REPEATEDLY ADDRESSED FILBINGER IN PERSON, AS IF TO STRESS HIS DISAGREEMENT WITH THE POSITION TAKEN BY THE CDU/CSU LAENDER.

6. OPPOSITION LEADER KOHL THEN REPLIED IN A TONE CLOSER TO GENSCHER'S THAN SCHMIDT'S. HE SAID THIS WAS NOT A TIME TO REHEARSE THE DEBATES OR THE DETAILS OF THE PREVIOUS WEEKS, BUT TO EXPRESS SATISFACTION AT THE POSITIVE OUTCOME OF A PROCESS THAT HAD TOUCHED ALL. HE DEFENDED THE AUTHORITY OF THE BUNDESRAT TO DEAL WITH THE AGREEMENT AND PRAISED THE BUNDESRAT FOR ITS PERFORMANCE. HE SAID THAT EVEN THOSE WHO ATTACKED THE BUNDESRAT WOULD HAVE TO LIVE WITH IT.

7. CLEARLY NOTING THE DIFFERENCES BETWEEN GENSCHER'S AND THE CHANCELLOR'S SPEECHES KOHL WELCOMED THE FOREIGN MINISTER'S STATEMENT, CITED GENSCHER'S REMARKS ABOUT THE SUBSTANTIVE IMPORTANCE OF THE RECENT EXCHANGES, AND ASSERTED THAT HE ASSUMED THE FOREIGN MINISTER SPOKE FOR THE GOVERNMENT. HE THEN SAID THAT SOME (I.E. GENSCHER) HAD MADE GREATER EFFORTS THAN OTHERS (I.E. SCHMIDT) TO ASSURE APPROVAL OF THE AGREEMENTS AND EXPRESSED APPRECIATION FOR THE WORK OF THE FOREIGN MINISTRY AND OF ITS OFFICIALS AS WELL AS FOR THE EFFORTS MADE BY THE POLISH GOVERNMENT. ADDRESSING THE CHANCELLOR, HE SAID THAT THIS WAS NOT THE MOMENT TO MINIMIZE THE ACHIEVEMENTS THAT HAD BEEN GAINED BY A JOINT EFFORT. HE ALSO DEFENDED GERMANS AGAINST THE

CHARGES THAT THEY HAD ENGAGED IN CHAUVINIST NATIONALISM.

8. GENSCHER CONCLUDED THE DISCUSSION WITH A BRIEF STATEMENT TO THE EFFECT THAT ALL GOVERNMENT LEADERS OF COURSE SPOKE FOR THE GOVERNMENT. HE AGAIN EXPRESSED DEEP SATISFACTION AT THE CONCLUSION OF THE DEBATE AND URGED ALL CONCERNED TO RESIST THE TEMPTATION TO TURN CONFIDENTIAL

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THIS SUCCESS INTO THE "PETTY COIN" OF POLITICAL ADVANTAGE.

9. COMMENT: WE WILL PRESENT A FULLER EVALUATION OF THE POLITICAL FALLOUT OF RECENT DEVELOPMENTS AND OF THIS PARTICULAR DEBATE AFTER FURTHER CONVERSATIONS WITH GERMAN POLITICAL FIGURES AND OBSERVERS. NONETHELESS, THE DIFFERENCE IN TONE AND SUBSTANCE BETWEEN SCHMIDT'S AND GENSCHER'S REMARKS DURING THE DEBATE CANNOT PASS UNNOTICED HERE. NEITHER CAN THE FACT THAT GENSCHER'S COMMENTS CAN BE USED TO SUPPORT THE OPPOSITION'S CLAIM THAT ITS RECALCITRANCE OBTAINED AN IMPROVEMENT IN THE TERMS OF THE AGREEMENT. IT IS ALSO NOTEWORTHY THAT, ON THE THREE OCCASIONS DURING WHICH SCHMIDT HAS NOW ADDRESSED THIS TOPIC IN BUNDESTAG AND BUNDESRAT DEBATES, HE HAS CONSISTENTLY FOLLOWED A SHARPER TONE TOWARD THE OPPOSITION THAN HIS FOREIGN MINISTRY HAS DONE. END COMMENT  
HILLENBRAND

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## Message Attributes

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